



PATENT
Docket No.: 021111-000800US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Luigi Di Gregorio

Application No.: 10/618,564

Filed: July 10, 2003

For: High Speed Data Access Memory
Arrays

Confirmation No.: 3753

Examiner: Unassigned

Art Unit: 2651

**Petition to Withdraw
Holding of Abandonment**

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Counsel for Assignee is in receipt of the Notice of Abandonment dated April 19, 2006. The Notice was issued because no reply was received by the Patent Office in response to a Notice to File Missing Parts dated October 9, 2003, for the above patent application. A review of the file indicates that a complete response was in fact filed with the U.S. Patent Office via facsimile transmission on November 4, 2003. A copy of the complete transmission, including the machine Communication Result Report confirming successful transmission, is attached. Also attached is a statement by Dyan J. Bogorodsky in support of this Petition.

Based upon such evidence, counsel respectfully requests that the Patent Office withdraw the Notice of Abandonment and reinstate the application for further prosecution.

Respectfully submitted,

Robert C. Colwell
Reg. No. 27,431

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (650) 326-2400
Fax: (415) 576-0300
RCC:mks
60797020 v1



PATENT
Docket No.: 021111-000800US

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Luigi Di Gregorio

Application No.: 10/618,564

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**Statement in Support of Petition
to Withdraw Holding of Abandonment**

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

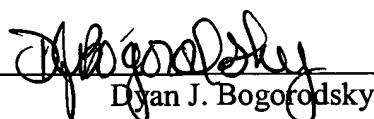
I, DYAN J. BOGORODSKY, hereby state:

On November 4, 2003, I prepared a facsimile transmission which included a response to a Notice to File Missing Parts dated October 9, 2003, for U.S. Application No. 10/618,564. A copy of that document is attached.

I delivered this document to our facsimile machine operator who sent it to the U.S. Patent and Trademark Office. The document was received by the U.S. Patent and Trademark Office as evidenced by the last page of the document showing that nine pages of the document were received.

For these reasons, I believe the response was lost within the U.S. Patent and Trademark Office after being received there.

Dated: 14 feb '06


Dyan J. Bogorodsky

JUN 19 2006
PTO/SB/21 (08-03)

U.S. PATENT AND TRADEMARK OFFICE
APR 87

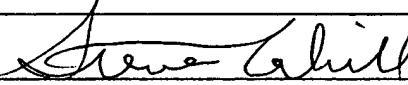
PTO/SB/21 (08-03)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/618,564
		Filing Date	July 10, 2003
		First Named Inventor	Di Gregorio, Luigi
		Art Unit	2651
		Examiner Name	
Total Number of Pages in This Submission	9	Attorney Docket Number	021111-000800US

ENCLOSURES (Check all that apply)

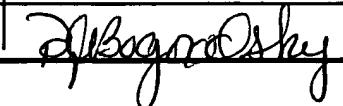
<input checked="" type="checkbox"/> PTO/SB/17 Fee Transmittal (1 pg submitted in duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input checked="" type="checkbox"/> PTO/SB/01A declaration (1 pg) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Notice to File Missing Parts of NonProvisional Application (2 pgs)	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> PTO/SB/81 Power of Attorney (1 pg) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
	PTO/SB/97 Certificate of Transmission (1 pg) this PTO/SB/21 Transmittal Form (1 pg) PTO/SB/96 Statement under 37 CFR 3.73(b) (1 pg)		
	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Steven Cahill	
Signature		
Date	November 4, 2003	

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 746-4060 on November 4, 2003

Typed or printed name	DJ Bogorodsky		
Signature			
	Date	November 4, 2003	

60074289 v1

FEE TRANSMITTAL

for FY 2004 JUN 19 2006

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.17

TOTAL AMOUNT OF PAYMENT (\$ 477

Complete If Known

Application Number	10/618,564
Filing Date	July 10, 2003
First Named Inventor	Luigi Di Gregorio
Examiner Name	
Art Unit	2651
Attorney Docket No.	021111-000800US

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account:

Deposit Account Number 20-1430

Deposit Account Name Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	385
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$385)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	23	-20** = 3	×\$9 =	\$27
Independent Claims	3	-3** = 0	×\$43 =	\$0
Multiple Dependent		X		

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$27)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

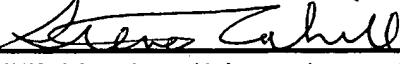
Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1051	130		2051	65	Surcharge - late filing fee or oath	65
	1052	50		2052	25	Surcharge - late provisional filing fee or cover sheet	
	1053	130		1053	130	Non-English specification	
	1812	2,520		1812	2,520	For filing a request for reexamination	
	1804	920*		1804	920*	Requesting publication of SIR prior to Examiner action	
	1805	1,840*		1805	1,840*	Requesting publication of SIR after Examiner action	
	1251	110		2251	55	Extension for reply within first month	
	1252	420		2252	210	Extension for reply within second month	
	1253	950		2253	475	Extension for reply within third month	
	1254	1,480		2254	740	Extension for reply within fourth month	
	1255	2,010		2255	1,005	Extension for reply within fifth month	
	1401	330		2401	165	Notice of Appeal	
	1402	330		2402	165	Filing a brief in support of an appeal	
	1403	290		2403	145	Request for oral hearing	
	1451	1,510		1451	1,510	Petition to institute a public use proceeding	
	1452	110		2452	55	Petition to revive - unavoidable	
	1453	1,330		2453	655	Petition to revive - unintentional	
	1501	1,330		2501	655	Utility issue fee (or reissue)	
	1502	480		2502	240	Design issue fee	
	1503	640		2503	320	Plant issue fee	
	1460	130		1460	130	Petitions to the Commissioner	
	1807	50		1807	50	Petitions related to provisional applications	
	1806	180		1806	180	Submission of Information Disclosure Stmt	
	8021	40		8021	40	Recording each patent assignment per property (times number of properties)	
	1809	770		2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
	1810	770		2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
	1801	770		2801	385	Request for Continued Examination (RCE)	
	1802	900		1802	900	Request for expedited examination of a design application	
	Other fee (specify) -----						

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$65)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Steven Cahill	Registration No. (Attorney/Agent)	44,578	Telephone	650-326-2400
Signature				Date	November 4, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

* * * COMMUNICATION RESULT REPORT (NOV. 4.2003 11:09AM) * * *

TTI TTC-PA 650-326-2422

FILE MODE

OPTION

228 MEMORY TX

JUN 19 2006 ADDRESS (GROUP)

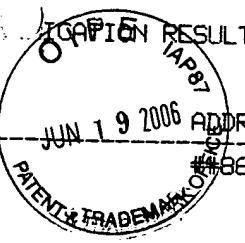
#106628#17037464060

RESULT

PAGE

OK

P. 9/9



REASON FOR ERROR

E-1) HANG UP OR LINE FAIL
E-3) NO ANSWERE-2) BUSY
E-4) NO FACSIMILE CONNECTION

PTO/SB/87 (08-00)

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office

on November 4, 2003
Date


DJ Bogorodsky

Typed or printed name of person signing Certificate

In re: application of: Luigi Di GregorioApplication Number: 10/618,564Filed: July 10, 2003Title: High Speed Data Access Memory ArraysAtty Docket Number: 021111-000800US SJC/djb

Being faxed to the OIPE Response to Missing Parts at facsimile number



615 - 14P81
JUN 19 2006
PATENT AND TRADEMARK OFFICE
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/618,564	07/10/2003	Luigi Di Gregorio	021111-000800US

20350
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 3753
ABANDONMENT/TERMINATION
LETTER

COPY

Date Mailed: 04/19/2006

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/09/2003.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-

identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

*A copy of this notice **MUST** be returned with the reply.*

R13L
Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
PART 2 - COPY TO BE RETURNED WITH RESPONSE